

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

IN THE MATTER OF:

JESSICCA M SHERRY

CHAPTER 13

CASE NO. 21-42839-LSG

JUDGE LISA S GRETCHKO

Debtor _____ /

TRUSTEE'S OBJECTION TO PLAN MODIFICATION AND AMENDED SCHEDULES

Now Comes the Chapter 13 Trustee, KRISPEN S. CARROLL, and objects to the Proposed Plan Modification as follows:

1. Trustee notes that she has a pending motion to dismiss for debtor's failure to make payments as debtor has a 43% payment history with a \$3,786.00 delinquency.
2. Where debtor's last payment was received on March 18, 2022, Trustee requires debtor's payments to resume immediately.
3. The Trustee requests a future default provision within debtor's Order Modifying Plan requiring debtor to remit payments timely. Should the debtor fail to remit timely payments the Trustee need only provide a Notice of Default providing debtor with 30 days to cure any delinquent payments, otherwise, the case would be dismissed without hearing upon the Trustee's affidavit.
4. Trustee requires debtor provide legible copies of the 2021 w2s to verify loss of income.
5. Trustee requests additional verification of debtor's income. Trustee requires the verification to be received by the Trustee immediately.
6. Trustee requests copies of all 2022 bank statements to verify income.

7. Where debtor's income appears to be overstated based upon documentation provided and debtor does not set aside funds allocated for tax withholdings, Trustee questions the feasibility of debtor's proposed Plan modification pursuant to 11 U.S.C. § 1325(a)(6).
8. Trustee questions the reason for the plan payment increase effective May 4, 2022.
9. Trustee objects to debtor's plan modification where debtor does not address the entire plan payment delinquency.

Wherefore, the Chapter 13 Trustee prays this Honorable Court deny the relief requested and for other and further relief as the Court deems appropriate, including dismissal.

Dated: April 25, 2022

OFFICE OF THE CHAPTER 13 TRUSTEE -DETROIT
KRISPEN S. CARROLL, CHAPTER 13 TRUSTEE

/s/ KRISPEN S. CARROLL-mg

Krispen S. Carroll (P49817)

Margaret Conti Schmidt (P42945)

Maria Gotsis (P67107)

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CERTIFICATE OF MAILING

I hereby certify that on the date indicated below, I electronically filed TRUSTEE'S OBJECTION TO PLAN MODIFICATION AND AMENDED SCHEDULES with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

BANKRUPTCY ASSISTANCE CENTER
38701 SEVEN MILE RD STE 445
LIVONIA, MI 48152

April 25, 2022

/s/ Shannon Horton

SHANNON HORTON

For the Office of the Chapter 13 Trustee-Detroit
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